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COMPLAINT

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UNITED STATES DISTRICT COURT

FOR THE

SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES OF AMERICA	COMPLAINT FOR VIOLATION OF
v.	U.S.C. Title 18 Section 2113(a) U.S.C. Title 18 Section 2
MICHAEL DANIEL LILLY MARTIN MELANIE ELIZABETH DEPALMER	Bank Robbery
	'07 MJ 2595

BEFORE ________________ San Diego, California

NAME OF MAGISTRATE ADDRESS OF MAGISTRATE

THE UNDERSIGNED COMPLAINANT BEING DULY SWORN STATES:

That on or about October 5, 2007, at La Mesa, California, within the Southern District of California:

MICHAEL DANIEL LILLY MARTIN and MELANIE ELIZABETH DEPALMER

did by force, violence and intimidation unlawfully take from the person and presence of employees at the Citibank, 3777 Avocado Boulevard, La Mesa, California, United States currency in the sum of $4,273.00, belonging to, or in the care, custody, control, management or possession of the Citibank, 3777 Avocado Boulevard, La Mesa, California, whose deposits were then insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Sections 2113 (a) and 2;

And the complainant states that this complaint is based on the attached affidavit which is incorporated herein by reference.

David J. Eaton, FBI

David J. Eaton
Special Agent, FBI

Sworn to before me, and subscribed in my presence on this 5th day of November, 2007.

Catherine A. Bencivengo
United States Magistrate Judge

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A F F I D A V I T

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

I, David J.Eaton, being duly sworn, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), and have been so employed since June, 1988. I am currently assigned to the San Diego Field Division. My primary assignment is the investigation of bank robberies and other violent crimes. The information contained in this affidavit is based upon my personal knowledge and on the information I have learned from reviewing official reports and speaking with other local and federal law enforcement officers.

2. On October 5, 2007, at approximately 11:40 a.m., Special Agents of the San Diego FBI Field Office responded to the report of a robbery at the Citibank, 3777 Avocado Boulevard, La Mesa, California.

3. During the course of that investigation, the victim teller was interviewed. The affiant has reviewed the report of the interview of the victim teller, who advised as follows: On October 5, 2007, the victim teller was working at his teller window when he was approached by a white female later identified as MELANIE ELIZABETH DEPALMER. DEPALMER placed a demand note on the teller counter. The victim teller recalled that portions of the demand note read, "No

alarms, no transmitters. . . I have a button I will push." The victim teller realized he was being robbed so he removed U.S. currency from his teller drawer. DEPALMER told the teller to place the money into an envelope. As he did so, a white male, later identified as MICHAEL DANIEL LILLY MARTIN, approached the teller window and placed his arm around DEPALMER. The victim teller attempted to hand the envelope and money to DEPALMER, but MARTIN reached out and took the loot from the victim teller. DEPALMER and MARTIN then exited the bank together and fled in an unknown direction. The victim teller described the robbers as follows:

Female Robber

Race:	White
Sex:	Female
Age:	25-26 years old
Height:	5'1" - 5'2"
Weight:	115 pounds
Hair:	Blonde
Clothing:	White tank top; jeans; sunglasses

Male Robber

Race:	White
Sex:	Male
Age:	25-26 years old
Height:	6'4" - 6'5"
Weight:	200 pounds
Clothing:	White tank top; black sweat pants; black hat; sunglasses

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4. On November 3, 2007, the affiant interviewed MELANIE ELIZABETH DEPALMER who was currently in custody at the Las Colinas Women's Facility, Cottonwood Road, Santee, California. DEPALMER was arrested on November 2, 2007, and was being held in custody based on a warrant issued in Northern California. DEPALMER was not yet represented by Counsel at the time of the interview. DEPALMER was advised of her Constitutional Miranda rights. DEPALMER advised that she understood her rights. DEPALMER voluntarily agreed to waive her rights and answer questions at that time without an attorney present. DEPALMER voluntarily advised as follows: DEPALMER has known MICHAEL DANIEL LILLY MARTIN for approximately the past four years. DEPALMER and MARTIN have been involved in a romantic relationship during most of the past four years. DEPALMER and MARTIN currently travel together and stay at various hotels together as they do not have a permanent residence. DEPALMER and MARTIN have been using methamphetamine on almost a daily basis for approximately the past two years. DEPALMER and MARTIN last stayed at the BARONA VALLEY RESORT AND CASINO hotel on Thursday night, November 1, 2007. In the early morning hours of Friday, November 2, 2007, DEPALMER and MARTIN drove themselves to Grossmont Hospital in La Mesa, California, as they were both experiencing medical problems. While at the hospital, DEPALMER and MARTIN were both taken into custody by officers of the La Mesa Police Department. DEPALMER was subsequently transported to the Las Colinas Women's Facility. DEPALMER has since been advised that she is being held in

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custody based on a felony robbery warrant issued in the Napa, California, area. DEPALMER described the vehicle which she and MARTIN drove to the hospital as a maroon Ford Focus which they recently purchased in Napa, California. DEPALMER and MARTIN have driven several other vehicles in the past several months which they have since sold or abandoned. DEPALMER and MARTIN left most of their personal belongings in their hotel room at the BARONA VALLEY RESORT AND CASINO. DEPALMER and MARTIN also maintain personal belongings in their maroon Ford Focus vehicle. DEPALMER voluntarily admitted that during the past five to six weeks, she and MARTIN have been involved in a series of bank robberies in San Diego County, California, and in the Napa, California, area. DEPALMER estimated that she and MARTIN were responsible for approximately 15 bank robberies during that time frame. DEPALMER admitted that on most occasions, MARTIN would enter the bank to commit the robbery; on a few occasions, DEPALMER entered the bank to commit the robbery; and on at least one occasion DEPALMER and MARTIN were both present in the bank during the robbery. DEPALMER admitted that she was always with MARTIN when he committed a bank robbery, and that she typically waited in the getaway vehicle while MARTIN committed the bank robbery. DEPALMER was shown bank surveillance photographs from the October 5, 2007, robbery of the Citibank, 3777 Avocado Boulevard, La Mesa, California. DEPALMER positively identified herself and MARTIN in those photographs. DEPALMER advised that MARTIN asked her to go in to rob the bank because MARTIN believed he was "too hot" to go into a bank on

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that date. DEPALMER understood MARTIN to mean that he had robbed several banks in the preceeding days and he believed he might be easily recognized on that date. DEPALMER recalled that she was having difficulty seeing while inside the bank because she was wearing dark sunglasses. DEPALMER eventually began looking over the top of her sunglasses during the robbery. DEPALMER commented that she was not wearing what she wanted to wear during the robbery. She explained that she wished she had been wearing a hat during the robbery to better conceal her identity. DEPALMER recalled that while she was in the process of committing the robbery, MARTIN entered the bank and approached the teller window where she was standing. MARTIN took the money from the victim teller. DEPALMER and MARTIN then exited the bank together and fled the area in their getaway vehicle. As they were driving away from the bank, MARTIN located an undetonated dye-pack among the bank loot. MARTIN separated the dye-pack from the rest of the loot and threw the dye-pack out of the car window as the were driving. MARTIN subsequently told DEPALMER that he entered the bank during the robbery because he had observed the victim teller doing something suspicious during the robbery. DEPALMER advised that after committing several bank robberies in San Diego County, she and MARTIN drove to the Napa, California, area to visit MARTIN's grandfather who was ill. DEPALMER admitted that she and MARTIN committed at least two bank robberies while in the Napa, California, area. DEPALMER was shown bank surveillance photographs from the October 2, 2007, robbery of

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the Wells Fargo Bank, 8898 Navajo Road, San Diego, California; the October 3, 2007, robbery of the Washington Mutual Bank, 348 South Twin Oaks Valley Road, San Marcos, California; the October 4, 2007, robbery of the Union Bank of California, 1512 Main Street, Ramona, California; and the October 29, 2007, robbery of the California Bank and Trust, 135 Saxony Road, Encinitas, California. DEPALMER positively identified MICHAEL MARTIN as the bank robber in all of those surveillance photographs. DEPALMER advised that the robbery on October 29, 2007, was the last bank robbery she and MARTIN committed.

5. The affiant has reviewed a California DMV photograph of MICHAEL DANIEL LILLY MARTIN, and has compared that photograph to the bank surveillance photographs from the bank robberies identified above. It is the opinion of the affiant that MARTIN appears to be identical to the individual depicted in those bank robbery surveillance photographs.

6. MARTIN is described as follows:

Name:	MICHAEL DANIEL LILLY MARTIN
Race:	White
Sex:	Male
Height:	6'4"
Weight:	240 pounds
Hair:	Brown
Eyes:	Hazel
Date of Birth:	February 15, 1980
Driver's License #:	B6858535 (California)
Home Address:	Transient

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7. DEPALMER is described as follows:

Name:	MELANIE ELIZABETH DEPALMER
Race:	White
Sex:	Female
Height:	5'3"
Weight:	110 pounds
Hair:	Blonde
Eyes:	Brown
Date of Birth:	September 3, 1980
Driver's License #:	D1132939 (California)
Home Address:	Transient

8. The affiant has confirmed that at the time of the bank robbery on October 5, 2007, the deposits of the Citibank, 3777 Avocado Boulevard, La Mesa , California, were insured by the Federal Deposit Insurance Corporation (FDIC). The Citibank incurred a loss of $4,273.00 as a result of the robbery on that date.

David J. Eaton, FBI

David J. Eaton
Special Agent, FBI

Sworn to before me and subscribed in my presence this 5th day of November, 2007, at 1:45 ~~a.m.~~/p.m.

Cathy ~~erine~~ A. Bencivengo
United States Magistrate Judge